IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.3346 OF 2006

Errol Gilbert Pinnance Tenmyson ...Applicant

vs.

State of Maharashtra & others ...Respondents

Mr.Niranjan Mundargi for the Applicant
Mr.S.V.More,A.P.P. for State

CORAM: A.S.OKA,J.
DATE : NOVEMBER 29,2006.

P.C.:

1. Heard Advocate for the Applicant. The Applicant has been arraigned as Accused No.2 in a case filed under section 135 of the Customs Act, 1962. The Applicant made an Application for grant of permission to go abroad which has been rejected by the learned Magistrate by order dated 28th August 2006.

2. The learned Advocate for the Applicant submitted that the Applicant wants to meet his ailing mother and for that purpose he wants to visit Honduras, Central America. He submitted that he is willing to give local sureties. He stated that a notice under Customs Act has been duly served on the Applicant on 15th November 2006 and the same has been replied. None appears for the second Respondent. Learned A.P.P. is present.

3. I have considered the submissions. The Applicant is a foreign national. Adjudication proceedings are pending and

notice has been recently served on 15th November 2006. As the Applicant is a foreign national, once he travels abroad, it is very difficult to secure his presence in India. Therefore, at this stage, prayer for grant of permission cannot be considered. Application is rejected.

4. After this order was passed, the learned Advocate for the Applicant along with the Advocate appearing for the second Respondent appeared in the afternoon. The Advocate for the Applicant prayed that adjudication proceedings be ordered to be disposed of expeditiously.

5. Considering the facts of the case, the concerned authority will make an endeavour to conclude the adjudication proceedings expeditiously.

JUDGE